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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JEREMY JOHN HALGAT, an individual,  
  
Plaintiffs,  
  
vs.  
  
UNITED STATES OF AMERICA, et. al.,  
  
Defendants.

CASE NO.: 2:22-cv-00592-RFB-EJY

**STIPULATION TO EXTEND DEADLINE  
TO RESPOND TO THE GOVERNMENT  
DEFENDANTS' MOTIONS TO DISMISS  
[ECF NOS. 34, 35, AND 36]**

**(FIFTH REQUEST)**

NOW COMES the Plaintiff, JEREMY HALGAT ("Plaintiff"), by and through his attorneys, Melanie A. Hill and Melanie Hill Law PLLC, and Defendants, UNITED STATES OF AMERICA, DAVID N. KARPEL, DAVID ARBOREEN, AGOSTINO BRANCATO, and MATTHEW WEAR, by and through their attorney, Jacob Bennett, who hereby stipulate that the deadline for Plaintiff to respond to the Government Defendants' Motions to Dismiss [ECF Nos. 34, 35, and 36] be extended pursuant to Local Rule IA 6-1.

This is the fifth request for an extension of the deadlines. In support of this Stipulation and Request, the parties state as follows:

1. The Government Defendants filed their Motions to Dismiss on October 7, 2022 [ECF Nos. 34, 35, and 36].

2. The parties stipulated to extend the deadline to December 6, 2022 to allow counsel for Plaintiff to file a motion to be added to the Protective Order in place in the underlying criminal

1 case so that Plaintiffs may share the criminal discovery with undersigned counsel. The discovery is  
2 necessary to further plead the complaint in this case in response to arguments made in the currently  
3 pending Motions to Dismiss.

4 3. Prior to filing the prior stipulation and the motion, counsel for Plaintiff also  
5 conferred with the local U.S. Attorneys' office regarding the same. Counsel determined that a motion  
6 would be necessary to allow counsel for Plaintiff to be added to the Protective Order in the underlying  
7 criminal case so that discovery may be reviewed by counsel for Plaintiff and used to further plead the  
8 complaint in this case.

9 4. On November 18, 2022, Plaintiff's counsel filed a Motion to Be Added to the  
10 Protective Order [ECF No. 44] in this case.

11 5. On January 4, 2023, Magistrate Judge Youchah denied the motion without  
12 prejudice by Minute Order [ECF No. 50] directing Plaintiff's counsel to file the motion in the  
13 underlying criminal case finding that the motion had been filed in the wrong case when it was filed  
14 in the instant case holding as follows: "Specifically, the Motion asks that Plaintiff, by and through  
15 his counsel of record, be added to the Protective Order issued on October 12, 2017, in a criminal case  
16 in which Plaintiff is involved. Case No. 2:16-cr-00265-GMN-NJK. It is in that case that Plaintiff must  
17 file his Motion."

18 6. The parties further conferred on filing of the Motion to Be Added to the Protective  
19 Order in the criminal case.

20 7. On January 25, 2023, Plaintiff filed the Motion to Be Added to the Protective Order  
21 in the criminal case [ECF No. 2296 in 2:16-cr-00265-GMN-NJK].

22 8. On January 31, 2023, Magistrate Judge Koppe ordered the United States to file a  
23 response indicating its position on Defendants' motion no later than February 6, 2023 [ECF No. 2297  
24 in 2:16-cr-00265-GMN-NJK].

25 9. On February 2, 2023, the United States filed its response indicating that it did not  
26 oppose the Motion [ECF No. 2298 in 2:16-cr-00265-GMN-NJK].

27 10. On February 2, 2023, Magistrate Judge Koppe granted the Motion to Be Added to  
28 the Protective Order in the criminal case [ECF No. 2299 in 2:16-cr-00265-GMN-NJK].

1           11.       Since the granting of the Motion, Plaintiff's counsel has been attempting to get all  
2 of the underlying criminal discovery in an organized fashion from the defendants through their prior  
3 counsel and is still in the process of doing so.

4           12.       Halgat's prior criminal counsel, Richard Tanasi, delivered the last of Halgat's  
5 criminal discovery on February 28, 2023, the same day that counsel was to file the oppositions  
6 pursuant to the last court order granting Halgat's prior motion to extend the deadlines to February 28,  
7 2023.

8           13.       Plaintiff's Counsel has also been preparing for and in trial in a case that started  
9 Monday, February 27, 2023. To allow time for Plaintiff's counsel to review the underlying criminal  
10 discovery for purposes of prosecuting this civil case and further responding to the pending Motions  
11 to Dismiss and/or filing an Amended Complaint in light of the delay in getting the discovery and her  
12 trial preparation, the parties have stipulated to extend Plaintiff's response deadline to the Motions to  
13 Dismiss to March 21, 2023. The parties have further stipulated to allow Defendants UNITED  
14 STATES OF AMERICA, DAVID N. KARPEL, DAVID ARBOREEN, AGOSTINO BRANCATO,  
15 and MATTHEW WEAR until April 11, 2023 to file its response to Plaintiff's filing.

16           14.       This Request for an extension of time is not sought for any improper purpose or  
17 other purpose of delay. Rather, it is sought by the parties solely to allow sufficient time for Plaintiff's  
18 counsel to review the underlying criminal discovery for purposes of prosecuting this civil case and  
19 further responding to the pending Motions to Dismiss and/or filing an Amended Complaint in light  
20 of the recent granting of the motion to add Plaintiff's counsel to the protective order in the criminal  
21 case and her trial preparation schedule over the last month.

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WHEREFORE, the parties respectfully request that the Court extend the deadlines as stipulated to herein.

DATED this 1st day of March, 2023.

DATED this 1st day of March, 2023.

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Principal Deputy Assistant Attorney General  
Civil Division

C. SALVATORE D'ALESSIO, JR.  
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America, David Karpel, David Arboreen,  
Agostino Brancato, and Matthew Wear*

**IT IS SO ORDERED.**

  
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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

DATED this 2nd day of March, 2023.